



"Frank Faranca"
<Frank.Faranca@dep.state.nj.us>

09/09/2008 10:52 AM

To Adolph Everett/R2/USEPA/US@EPA, Barry
Tornick/R2/USEPA/US@EPA
cc "Gwen Zervas" <Gwen.Zervas@dep.state.nj.us>, "Karen
Fell" <Karen.Fell@dep.state.nj.us>, "Len Romino"
<Len.Romino@dep.state.nj.us>, "Steve Maybury"
bcc

Subject Re: DuPont (Deepwater) PFOA

George Myer

All,

We have tentatively set up a conference call tomorrow, September 10th at 1:00 PM.

Agenda:

1. Directive/Consent Order to DuPont - Lead Agency ←
2. Action Level for treatment - Chronic or Subchronic ← 0.5 / 0.04
3. Delineation via Potable Wells - DuPont's failure to move forward.
4. Technical Meeting/Exchange.
5. DuPont's request for Management meeting. ← ?

Barry, we will call you at your number.

Frank

>>> <Tornick.Barry@epamail.epa.gov> 9/8/2008 9:50 AM >>>

I had spoken to Al Boettler, DuPont, and asked him if DuPont would be willing to agree to an Order like the one with Region 3, which requires that DuPont take certain actions (like providing bottled water or installing treatment equipment) when PFOA in water supplies exceed .5 ppb. He called back on Friday and said that they would. However, Al said that DuPont would not be willing to agree to the .04 ppb that NJDEP wants to use as a preliminary health based guidance level for PFOA in drinking water. While both of these numbers are health based, one is based on chronic exposure and the other on acute (or subchronic) exposure.

It is currently unclear what EPA and NJDEP roles will be in enforcing PFOA and what standards will be used. The NJDEP Site Remediation Program is the NJDEP lead for obtaining groundwater monitoring results, although the main pathway to the groundwater is suspected to be through air deposition. NJDEP is the lead for drinking water but there is no agreement between the NJDEP and EPA Drinking Water Programs on coordination procedures. The EPA RCRA Program has been receiving the PFOA monitoring data and DuPont (Deepwater) is an EPA lead for RCRA corrective action, but PFOA is neither a RCRA hazardous waste nor a RCRA hazardous constituent.

Frank Faranca, NJDEP Site Remediation Program, will be asking the NJDEP Drinking Water Program to communicate with the EPA Drinking Water